

# **Exhibit A**

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

BING GUAN, GO NAKAMURA, MARK  
ABRAMSON, KITRA CAHANA, and ARIANA  
DREHSLER,

Plaintiffs,

v.

No. 1:19-CV-6570 (PKC/MMH)

ALEJANDRO MAYORKAS, Secretary of the U.S.  
Department of Homeland Security, in his official  
capacity; TROY MILLER, Acting Commissioner of  
U.S. Customs and Border Protection, in his official  
capacity; and TAE JOHNSON, Acting Director of  
U.S. Immigration and Customs Enforcement, in his  
official capacity,

Defendants.

**PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Plaintiffs Bing Guan, Go Nakamura, Mark Abramson, Kitra Cahana, and Ariana Drehsler ("Plaintiffs") serve this First Set of Requests for Production of Documents ("Requests") on Defendants Alejandro Mayorkas, Troy Miller, and Tae Johnson ("Defendants"). Plaintiffs request that, within thirty (30) days of service of these Requests, Defendants produce or make available for inspection and copying the documents described in **Schedule A**, attached, in accordance with the Definitions and Instructions provided in **Schedule B**, attached, at the offices of Covington & Burling LLP, The New York Times Building, 620 Eighth Avenue, New York, NY, 10018, or at such other time and place as may be mutually agreed by the parties.

Dated: **December 30, 2021**  
New York, New York

By:   /s/Esha Bhandari  

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**SCHEDULE A**  
**DOCUMENT REQUESTS**

1. All Documents, including Communications, identified in, referred to, or consulted in preparing Defendants' initial disclosures pursuant to Rule 26(a) of the Federal Rules of Civil Procedure.

2. All Documents, including Communications, identified in, referred to, or consulted in preparing Defendants' Answer in this Lawsuit.

3. All Documents, including Communications, that Defendants may use to support any allegations or defenses in this Lawsuit.

4. All Documents, including Communications, reviewed or relied upon by any expert retained by Defendants in connection with this Lawsuit.

5. All Documents, including Communications, that Defendants will use at any trial of the claims or defenses in this Lawsuit.

6. All Documents, including Communications, concerning the documents that were attached as Exhibits 1 through 10 to Defendants' Motion to Dismiss the Complaint in this Lawsuit.

7. All Documents, including Communications, concerning Operation Secure Line ("OSL"), including the contemplation, formulation, development, implementation, operation, enforcement, modification, or termination of OSL.

8. All Documents, including Communications, concerning the OSL Targeting List, including all Documents used to prepare, create, update, or maintain: the OSL Targeting List; the persons on the OSL Targeting List; or the information reflected on the OSL Targeting list, such as the text beneath any person's photograph as well as the presence, absence, and color of an "X" over any person's face.

9. All Documents, including Communications, concerning the meaning or scope of the terms “Organizers,” “Coordinators,” “Instigators,” or “Media,” as used in the OSL Targeting List, including the categories of persons to whom those terms refer.

10. All Documents, including Communications, concerning the actual or potential inclusion of any Journalist or member of the Media on the OSL Targeting List.

11. All Documents, including Communications, concerning any investigation or audit of OSL or the OSL Targeting List.

12. All Documents, including Communications, provided to, reviewed, referenced, or generated by the CBP Privacy and Diversity Office in connection with, or otherwise concerning, OSL or the OSL Targeting List.

13. All Documents, including Communications, concerning any other lists or databases of persons—beyond the OSL Targeting List—created in connection with OSL, including any lists or databases of persons targeted or prioritized for any Government Action as part of OSL.

14. Documents, including Communications, sufficient to show the function and institution of alerts, flags, lookouts, or similar notices (however denominated) on persons’ passports generally, including the alerts referenced in the OSL Targeting List.

15. All Documents, including Communications, concerning Bing Guan from 2017 to present, including those reflecting or concerning:

entity or unit if it participated in OSL, including their information gathering or sharing activities.

26. All Documents, including Communications, created, prepared, maintained, processed, sent, or received by any International Liaison Unit, Emergency Operation Center, Tactical Terrorism Response Team, OMEGA, or other entity that participated in OSL concerning any Journalist or member of the Media on the OSL Targeting List.

27. Documents, including Communications, sufficient to show the policies, procedures, and practices governing the operations of the Operation Against Smugglers Initiative on Safety and Security, including its information gathering or sharing activities.

28. All Documents, including Communications, created, prepared, maintained, processed, sent, or received by the Operation Against Smugglers Initiative on Safety and Security concerning any Journalist or member of the Media on the OSL Targeting List.

29. All Documents, including Communications, provided to, reviewed, referenced, or generated by the Department of Homeland Security's Office of the Inspector General ("OIG") in connection with, or otherwise concerning, the internal investigation reflected in the report entitled "CBP Targeted Americans Associated with the 2018-2019 Migrant Caravan," OIG-21-62, dated Sept. 20, 2021 (the "OIG Report"), including:

- a. The 1990 TECS directive, and the statements by "a high-level EOC official" who "confirmed that CBP officials should reevaluate lookouts after every inspection";
- b. Documents concerning OIG's conclusion that persons were subjected to "repeated and unnecessary secondary inspections";